UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

S & L VITAMINS, INC., Plaintiff, - vs. – AUSTRALIAN GOLD, INC., Defendant.	CIVIL ACTION NO. 05-CV-1217 (JS) (MLO) **NOTICE OF MOTION**
AUSTRALIAN GOLD, INC., Third Party Plaintiff, - vs. – LARRY SAGARIN AND JOHN DOES 1-10, Third Party Defendants.	

TO: Francis J. Earley
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
666 Third Avenue
New York, NY 10017

PLEASE TAKE NOTICE that based upon the enclosed memorandum of law, plaintiff S&L Vitamins and third party defendant Larry Sagarin will move this Court pursuant to Fed. R. Civ. P. 12(b)(6) and 12(c) to bring the attached Motion on for hearing at such time and date as the Court may determine. Oral argument is requested if this motion is opposed.

Dated: August 18, 2005

Ronald D. Coleman (RC 3875)
David Stein (DS 2119)
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